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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/463,271	01/24/2000	ANDRE KAUP	P00.0103	6121

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EXAMINER

CARTER, AARON W

ART UNIT

PAPER NUMBER

2625

DATE MAILED: 04/17/2003

11

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/463,271

Applicant(s)

KAUP, ANDRE

Examiner

Aaron W Carter

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 February 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 24 January 2000 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 02/10/03 have been fully considered but they are not persuasive.

Applicant argues that the prior art does not teach or fairly suggests a method for storing search features of an image sequence comprising of determining search features from an image sequence and storing those features together with the image sequence.

Examiner disagrees, Edge (already of record) discloses that words or phrases of an audio/visual segment, also known as an image sequence (Applicant, page 1, line 7), are determined, converted to plain text and used as search features (Edge, page 2, lines 28-39). Edge also discloses that the features are stored together with the image sequence as a part of a three part composite file (Edge, page 2, lines 40- 48 and page 8, lines 4-5).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 11-13, 19 and 20 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by European Patent 0 507 743 A2 to Edge.

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As to claim 11, Edge discloses a method for storing search features of an image sequence, said method comprising the steps of:

determining said search features from said image sequence (“word or phrase”, page 2, line 37); and

storing said features together with said image sequence (page 2, lines 47-48).

As to claim 12, Edge discloses the method as claimed in claim 11, wherein said search features are at least one of audio data and video data of said of said image (page 2, lines 37-39).

As to claim 13, Edge discloses the method as claimed in claim 11, wherein said search features comprise a reference (“word or phrase”, page 2, line 37) to an image within said image sequence for assisting in accessing said image within said image sequence (page 2, lines 37-39).

As to claim 19, Edge discloses the method as claimed in claim 11, wherein separate search features for several object (“transcript”, page 2, lines 37-39) that are contained in said image sequence according to image coding standards are respectively stored together with said image sequence (page 2, lines 47-48).

As to claim 20, Edge discloses the method as claimed in claim 11, wherein said search features can be unambiguously identified by a predeterminable start code (page 5, lines 43-44).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 14-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Edge as applied to claim 1 above, and further in view of U.S. Patent 5,987,459 to Swanson et al. ("Swanson").

As to claim 14-16, Edge discloses all that is claimed in claim 11, but neglects to explicitly disclose the location of the search features in accordance with the image sequence. Swanson, however, teaches us a process of coding images with search feature for use in a content-based image retrieval system. In Swanson's process he teaches us that there are disadvantages of attaching search features to a compressed image file (18) either as a prefix (20) or appended (20) to the file (Figure 1 and column 3, lines 19-27). He goes on to discuss several advantages of storing the search features directly into the image (26, Figure 1 and column 3, lines 28-39). Therefore it would have been obvious to one of ordinary skill in the art to take the teaching of Swanson and apply them to the Edge's method. This would provide the advantage of keeping search features in close proximity of the image sequence for increased retrieval time and by storing search features in the image sequence storage space required could be reduced.

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As to claim 17, Edge and Swanson combined provide us with a method of storing search features in an image sequence. Swanson discuss the addition of the search features as a prefix ("file header", column 3, lines 56-62) to a file created preferably according to the JPEG compression standard (column 4, lines 24-25), but neglects to explicitly mention the search features can be stored as a prefix to an intra-image created according to the MPEG standard. The Examiner takes Official Notice that the intra-image according to MPEG standard is well known in the art as a still image contained in the MPEG file, as well as the JPEG standard being a well known coding technique in the field of individual images. Therefore it would have been obvious to one of ordinary skill in the art to create a MPEG file of the audiovisual sequence discussed by Edge and to store search feature as prefix to an intra-image using technique disclosed by Swanson. This would provide the advantage of reduced storage space.

As to claim 18, Edge discloses a method according to claim 17, wherein each image scene of said image sequence is stored in a database ("information storage system", page 2, line 23).

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron W. Carter whose telephone number is 703.306.4060. The examiner can normally be reached by telephone between 8am - 4:30pm (Mon. – Fri.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on 703.308.5246. The fax phone number for the organization where the application or proceeding is assigned are 703.872.9314 for regular communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703.306.0377.

Aaron W. Carter
Examiner
Art Unit 2625

Awc
awc
April 7, 2003


BHAVESH M. MEHTA
SUPERVISORY PATENT EXAMINER
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